

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ROME DIVISION**

<b>In re:</b>	)	<b>CHAPTER 11</b>
	)	
<b>BEAULIEU GROUP, LLC,</b>	)	<b>CASE NO. 17-41677-mgd</b>
<b>a Georgia limited liability company,</b>	)	
	)	
<b>Debtor.</b>	)	

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<b>In re:</b>	)	<b>CHAPTER 11</b>
	)	
<b>BEAULIEU TRUCKING, LLC,</b>	)	<b>CASE NO. 17-41680-mgd</b>
<b>a Delaware limited liability company,</b>	)	
	)	
<b>Debtor.</b>	)	

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<b>In re:</b>	)	<b>CHAPTER 11</b>
	)	
<b>BEAULIEU OF AMERICA, INC.</b>	)	<b>CASE NO. 17-41678-mgd</b>
<b>a Georgia corporation,</b>	)	
	)	
<b>Debtor.</b>	)	

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**DEBTORS' MOTION FOR ORDER DIRECTING  
JOINT ADMINISTRATION OF RELATED CHAPTER 11 CASES**

The above-captioned debtors and debtors in possession (collectively, the “**Debtors**”),<sup>1</sup> by and through their undersigned attorneys, hereby file this motion (the “**Motion**”) for entry of an order directing joint administration of their chapter 11 cases for procedural purposes only. In support thereof, the Debtors respectfully represent as follows:

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<sup>1</sup> The Debtors in these cases along with the last four digits of their federal tax identification number are: Beaulieu Group, LLC (2636), Beaulieu Trucking, LLC (0383) and Beaulieu of America, Inc. (9706).

## **INTRODUCTION**

1. On the date hereof (the “**Petition Date**”), each of the Debtors commenced a voluntary case under chapter 11 of title 11 of the United States Code (the “**Bankruptcy Code**”). The Debtors are authorized to operate their businesses as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. No chapter 11 trustee or examiner has been appointed in any of the Debtors’ cases.

2. Additional information regarding the Debtors’ businesses, corporate and debt structure, and the circumstances leading to the filing of these chapter 11 cases is contained in the *Declaration of J. Michael Pollard in Support of First Day Motions and Applications* (the “**First Day Declaration**”)<sup>1</sup> filed contemporaneously herewith and incorporated herein by reference.

## **JURISDICTION**

3. This Court has jurisdiction over this case and this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2)(A). Venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409.

4. The predicate for the relief requested herein is Rule 1015(b) of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”).

## **RELIEF REQUESTED**

5. Pursuant to Bankruptcy Rule 1015(b), the Debtors hereby seek the joint administration of their chapter 11 cases under the chapter 11 case of Beaulieu Group, LLC (“**Beaulieu Group**”) such that a single docket is utilized for matters relating to the administration of the estates. This is not a request for substantive consolidation and the Debtors request that separate files be maintained for proofs of claim.

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<sup>1</sup> Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the First Day Declaration.

6. The Debtors propose that the caption of their jointly-administered chapter 11 cases be as follows:

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ROME DIVISION**

<b>IN RE:</b>	)	<b>CHAPTER 11</b>
	)	
<b>BEAULIEU GROUP, LLC, et al.,</b>	)	<b>Jointly Administered Under</b>
	)	<b>CASE NO. 17-41677-mgd</b>
<b>Debtors.</b>	)	
	)	

7. The Debtors further propose that a docket entry be made in each of the above-captioned cases substantially as follows:

An order has been entered in this case directing joint administration of this case with the chapter 11 bankruptcy case of Beaulieu Group, LLC, Case No. 17-41677-mgd. The docket in the chapter 11 case of Beaulieu Group, LLC, should be consulted for all matters affecting this case. All further pleadings or other papers shall be filed in the case of Beaulieu Group, LLC, Case No.17-41677-mgd.

8. The Debtors further propose that the Court waive the requirements set forth at section 342(c)(1) of the Bankruptcy Code and Bankruptcy Rules 1005 and 2002(n) that notices required to be sent by the Debtors contain the name, address and last four digits of the taxpayer identification number of each Debtor.

9. The Debtors further propose that the Court: (a) authorize the Debtors to utilize a combined service list for the jointly administered cases; and (b) authorize combined notices be sent to creditors of the Debtors' estates and other parties-in-interest, as applicable.

10. Consistent with the foregoing, the Debtors also seek authority to file the monthly operating reports required by the Operating Guidelines and Reporting Requirements for Debtors

in Possession and Chapter 11 Trustees (the “**Guidelines**”) promulgated by the Office of the United States Trustee for Region 21 (the “**U.S. Trustee**”) on a consolidating (not consolidated) basis. Nevertheless, the Debtors will track and break out itemized disbursements on a debtor-by-debtor basis in each monthly operating report. The Debtors submit that filing consolidated monthly operating reports will further administrative economy and efficiency without prejudice to any party in interest.

11. The Debtors are not aware of any administrative or scheduling orders entered in any of the cases which would require modification.

**BASIS FOR RELIEF REQUESTED**

12. Bankruptcy Rule 1015(b) authorizes this Court to order the joint administration of the bankruptcy cases of a debtor and its “affiliates,” as defined in section 101(2) of the Bankruptcy Code. Beaulieu Group is the parent company and holds 100% of the equity in Beaulieu Trucking, LLC. Beaulieu of America, Inc. holds a minority interest in Beaulieu Group. The Debtors, therefore, are “affiliates” under the definition of section 101(2) of the Bankruptcy Code, and accordingly, this Court has the authority to grant the relief requested herein pursuant to Bankruptcy Rule 1015(b).

13. The Debtors anticipate that, during the course of these cases, it will be necessary to file numerous motions and applications seeking relief on behalf of all of the Debtors. The Debtors respectfully submit that joint administration of their chapter 11 cases is in the best interests of their estates, creditors, and other parties-in-interest and will further the interests of judicial economy and administrative expediency by, among other things, obviating the need to file duplicate motions, to enter duplicate orders, and to forward unnecessary, duplicate notices to creditors and other parties-in-interest.

14. The entry of joint administration orders in multiple related cases such as these is common in this district.

15. Accordingly, based on the foregoing facts and authorities, the Debtors submit that the relief requested in this Motion should be granted.

### **NOTICE**

16. Notice of this Motion has been provided to the Office of the United States Trustee, counsel to the Debtors' pre-petition secured lender, counsel to the Debtors' proposed debtor-in-possession lender, any other party asserting a security interest in assets of the Debtors, and the Debtors' thirty (30) largest unsecured creditors on a consolidated basis. In light of the nature of the relief requested, the Debtors submit that no further notice is necessary.

### **CONCLUSION**

WHEREFORE, the Debtors respectfully request that the Court enter an order, substantially in the form attached hereto as **Exhibit A**, granting the Debtors the relief requested herein and such other and further relief to the Debtors as may be just and proper.

This 16<sup>th</sup> day of July, 2017.

Respectfully submitted,

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## **EXHIBIT A**

### **Proposed Order**

**IN THE UNITED STATES BANKRUPTCY COURT  
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<b>In re:</b>	)	<b>CHAPTER 11</b>
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<b>BEAULIEU GROUP, LLC,</b>	)	<b>CASE NO. 17-41677-mgd</b>
<b>a Georgia limited liability company,</b>	)	
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<b>In re:</b>	)	<b>CHAPTER 11</b>
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<b>BEAULIEU TRUCKING, LLC,</b>	)	<b>CASE NO. 17-41680-mgd</b>
<b>a Delaware limited liability company,</b>	)	
	)	
<b>Debtor.</b>	)	

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<b>In re:</b>	)	<b>CHAPTER 11</b>
	)	
<b>BEAULIEU OF AMERICA, INC.</b>	)	<b>CASE NO. 17-41678-mgd</b>
<b>a Georgia corporation,</b>	)	
	)	
<b>Debtor.</b>	)	

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**[Proposed] ORDER DIRECTING JOINT ADMINISTRATION  
OF RELATED CHAPTER 11 CASES**

Upon consideration of the motion (Doc. No. \_\_) (the “**Motion**”)<sup>1</sup> of the Debtors<sup>2</sup> for an order directing joint administration of their chapter 11 cases; and jurisdiction existing for the Court to consider the Motion; and the Court having found that good and sufficient cause exists for granting the Motion; and upon consideration of the First Day Declaration, and the files and records in these cases; and upon the arguments and statements in support of the Motion presented at the hearing before the Court; and it appearing that joint administration of these cases will be in the best interests of the Debtors’ estates, creditors, and other parties-in-interest and will further the economic and efficient administration of these cases; and it further appearing that notice of the Motion was adequate and proper under the circumstances of these cases and that no further notice of the Motion need be given;

it is hereby ORDERED as follows:

1. The Motion is granted to the extent provided herein.
2. For the reasons set forth in the Motion, the above-captioned cases shall be jointly administered by this Court. The caption of the jointly administered chapter 11 cases shall be as follows:

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<sup>1</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Motion.

<sup>2</sup> The Debtors in these cases along with the last four digits of their federal tax identification number are: Beaulieu Group, LLC (2636), Beaulieu Trucking, LLC (0383) and Beaulieu of America, Inc. (9706).



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	)	<b>CASE NO. 17-41677-mgd</b>
<b>Debtors.</b>	)	
	)	

3. A docket entry shall be made in each of the above-captioned cases substantially as follows:

An order has been entered in this case directing joint administration of this case with the chapter 11 bankruptcy case of Beaulieu Group, LLC, Case No. 17-41677-mgd. The docket in the chapter 11 case of Beaulieu Group, LLC, should be consulted for all matters affecting this case. All further pleadings or other papers shall be filed in the case of Beaulieu Group, LLC, Case No. 17-41677-mgd.

4. Unless further ordered by the Court, nothing contained in this Order shall be deemed or construed as directing or otherwise effecting substantive consolidation of the above-captioned cases.

5. The Court waives the requirements set forth at section 342(c)(1) of the Bankruptcy Code and Bankruptcy Rules 1005 and 2002(n) that notices required to be sent by the Debtors contain the name, address and last four digits of the taxpayer identification number of each Debtor.

6. The Court authorizes the Debtors to utilize a combined service list for the jointly administered cases and authorize combined notices be sent to creditors of the Debtors' estates and other parties-in-interest, as applicable.

7. The Debtors may file a single monthly operating report as required by the United States Trustee for Region 21 Operating Guidelines and Reporting Requirements for Debtors in Possession and Chapter 11 Trustees for the jointly administered Debtors. However, the monthly

operating report shall be filed on a consolidating (not consolidated) basis. The report shall contain on a consolidating basis the information required for each Debtor that tracks and breaks out all of the specific information, e.g. receipts, disbursements, etc., on a debtor-by-debtor basis.

8. This Court shall retain jurisdiction over all matters arising from or related to the interpretation and implementation of this Order.

9. Counsel to the Debtors is directed to serve a copy of this Order on the Office of the United States Trustee, counsel to the Debtors' pre-petition secured lender, counsel to the Debtors' proposed debtor-in-possession lender, any other party asserting a security interest in assets of the Debtors, and the Debtors' thirty (30) largest unsecured creditors on a consolidated basis promptly following the entry of this Order and to file a certificate of service with the Clerk of the Court.

**[END OF DOCUMENT]**

Prepared and presented by:

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